

CHAPTER NO. 487**HOUSE BILL NO. 2720****By Representatives Bone, McDonald****Substituted for: Senate Bill No. 2748****By Senators Trail, McLeary, Williams**

AN ACT to amend Tennessee Code Annotated, Title 58, Chapter 2, Part 1, relative to the authority to declare a state of emergency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 58-2-107, is amended by adding the following language as a new subsection to be designated as follows:


(k) The governor may delegate to the director of TEMA the authority to declare a state of emergency in order that certain commercial vehicles engaged in the distribution of electric power, the supply of fuel, or telecommunications services to residences and businesses may be considered to be participating in an emergency relief effort for the purpose of the federal hours-of-service regulations promulgated by the federal motor carrier safety administration. Pursuant to the delegation of authority granted pursuant to this subsection, the director of TEMA may declare a state of emergency prospectively in anticipation of an emergency.

SECTION 2. Tennessee Code Annotated, Section 58-2-110(3)(A), is amended by deleting the word "and" at the end of item (iv); by deleting the period at the end of item (v) and by substituting instead a semicolon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(viii) Declare a local state of emergency in order that certain commercial vehicles engaged in the distribution of electric power, the supply of fuel, or telecommunications services to residences and businesses may be considered to be participating in an emergency relief effort for the purpose of the federal hours-of-service regulations promulgated by the federal motor carrier safety administration. The CLEO may declare a local state of emergency prospectively in anticipation of an emergency.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 22, 2004


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 8th day of April 2004


PHIL BREDESEN, GOVERNOR